

Remarks

Claims 1-5 inclusive, 10 and 12 remain.

Independent claims 1 and 4 have been amended to include the limitation of former dependent claims 9 and 13 (now canceled) and the additional requirement that the surface features are in concentric rings with “each ring comprising a plurality of discrete spaced-apart surface features”. Support for this amendment is in the specification on page 7, lines 8-21 and in Figs. 6A-6B.

Former dependent claims 9 and 13 were rejected under Sections 102(e) and Section 103(a), respectively, over US 7064921 B1 (Yang et al.) for the reason that Yang teaches a plurality of surface features because of a single reference to “surface texturing”. However, as the Examiner notes, Yang is silent as to the shapes, sizes and locations of the surface features.

Yang does not teach or suggest surface features arranged in concentric radially-spaced rings, with each ring comprising discrete, spaced-apart surface features, like that shown in Applicants’ Fig. 6A. Thus Yang can not be a Section 102(e) reference to amended independent claims 1 and 4. Additionally, unlike Applicants’ invention, Yang is not directed to *modifying conventional planar damping plates to reduce viscous shear forces*. Rather Yang is directed to the problem of undesirable contact between *conventional planar damping plates* and the disks. Yang addresses this by tapering the damping plates at their ends to minimize contact with the disks in the event of “shock events” (Yang at col. 5, lines 5-8). Thus the sole reference to “surface texturing” (Yang at col. 5, line 36) is not in the context of *modifying the damping plates to reduce viscous shear forces*, and for that reason one skilled in the art would not be led to Applicants’ invention by this single reference in Yang. Thus Applicants believe that Yang does not state a *prima facie* case of obviousness against Applicants’ amended independent claims 1 and 4.

Even though Applicants believe their invention is patentable over Yang, Applicants have enclosed with this amendment a Declaration under Rule 131 to establish invention of

the subject matter of amended independent claims 1 and 4 prior to the effective date of Yang. Yang does not claim the same patentable invention as claimed in Applicants' amended independent claims 1 and 4 and thus the Declaration under Rule 131 is appropriate (37 CFR §1.131(a)(1)). Thus, Yang should be removed as a reference.

In view of the above comments and amendments to the claims, all remaining claims are believed in condition for allowance. The Examiner is invited to call Applicants' attorney if a telephone conference will expedite the prosecution of this application.

September 25, 2006

Respectfully submitted,

/ Thomas R. Berthold /

Thomas R. Berthold, Attorney for Applicants
Reg. No. 28,689
18938 Congress Junction Ct.
Saratoga, CA 95070-4570
Phone: (408) 396-8411
Fax: (408) 904-6605